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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DANNY ANDREW YOUNG,

Case No. 2:12-cv-00524-RFB-NJK

Petitioner,

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME
TO FILE SUPPLEMENTAL ANSWER TO
AMENDED PETITION FOR WRIT OF
HABEAS CORPUS (ECF NO. 23)**

vs.

BRIAN WILLIAMS, WARDEN, *et al.*,

Respondents.

(SECOND REQUEST)

Respondents move this Court for an enlargement of time of seven (7) days from the current due date of July 3, 2019, up to and including July 10, 2019, in which to file their supplemental answer to the amended petition for writ of habeas corpus (ECF No. 23). This Motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel. This is the second enlargement of time sought by Respondents, and the request is brought in good faith and not for the purpose of delay.

DATED: July 2, 2019.

Submitted by:

AARON D. FORD
Attorney General

By: /s/ Erica Berrett
Erica F. Berrett (Bar. No. 13826)
Deputy Attorney General

DECLARATION OF ERICA BERRETT

STATE OF NEVADA)
COUNTY OF CLARK) ss:

I, ERICA BERRETT, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada, and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I am responsible to represent Respondents in *Danny Andrew Young v. Brian Williams, Warden, et al.*, Case No. 2:12-cv-0524-RFB-NJK, and as such, have personal knowledge of the matters contained herein.

2. This Motion is made in good faith and not for the purpose of delay.

3. The supplemental answer to the amended petition for writ of habeas corpus (ECF No. 23) is currently due July 3, 2019.

4. I have been unable with due diligence to timely complete a supplemental response to the petition for writ of habeas corpus (ECF No. 23). Though I have been diligently working on the supplemental answer, two unforeseen circumstances have prevented me from completing the response. First, I had planned to end a previously scheduled vacation early to come in to my office and work on the supplemental answer on June 29 and June 30, 2019. However, the Attorney General Office's computers, servers, and email were not functional during those dates due to electrical upgrades. Therefore, I had no access to work on the brief, despite ending my vacation early with the intent to work on the brief. Second, since the time I previously requested an extension, I was issued a summons for jury duty for July 3, 2019, which is the current due date for the supplemental answer. This has further eroded the time I had allotted to work on the supplemental answer.

5. If it were not for these two unforeseen circumstances, I would not have needed this additional extension, as I have prioritized this response above all other responses in my federal case load, and I had allotted sufficient time to complete my response. I would not have requested piecemeal extensions had I known about the aforementioned events.

6. I contacted counsel for the Petitioner regarding this request for enlargement of time, and she does not oppose it.

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7. Based on the foregoing, I respectfully request an enlargement of time of seven (7) days, up to and including July 10, 2019, to file a supplemental answer to the petition for writ of habeas corpus.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 2nd day of July, 2019.

/s/ Erica Berrett
Erica F. Berrett (Bar No. 13826)
Deputy Attorney General

IT IS SO ORDERED:

**RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE**

DATED this 9th day of July, 2019.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of Time to File Supplemental Answer to Amended Petition for Writ of Habeas Corpus (ECF No. 23) (Second Request)* with the Clerk of the Court by using the CM/ECF system on July 2, 2019.

The following participants in this case are registered CM/ECF users and will be served by the CM/ECF system:

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/s/ M. Landreth
An employee of the Office of the Attorney General